HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 17484 of 2007

Between:

Gajawad Vykuntam & others

... Petitioners

And

Municipal Corporation, Karimnagar,
Rep. by its Commissioner.

... Respondent

:: O R D E R ::

Counsel for the petitioners : Ms. N. Hymavathi
for Shri S. Satyam Reddy

Counsel for the respondent : Shri J. Kanakaiah

August 30, 2007

Per G.S. SINGHVI, CJ

In this petition, the petitioners have made the following substantive prayer:

> " In the above circumstances, it is therefore prayed that this Hon'ble Court may be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declare the action of the respondent in seeking to demolish the houses of the petitioners on the southern side of the road and leaving aside all the houses on the northern side and not taking the center of the road for the purpose of road widening situated in front of our houses bearing Nos. 7-2-212, 7-2-210 and 7-2-209 situated in Ward No. 34, Mankamma Thota, Karimnagar District as arbitrary and illegal, and consequent to direct the respondents to take the center of the road for its widening and pass such other and further order or

orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

Shri J. Kanakaiah, learned counsel for the respondent, on the basis of instructions given to him by the concerned officers of Municipal Corporation, Karimnagar, made a statement that the properties of the petitioners are not being demolished in furtherance of the road widening programme and that as and when the properties of the petitioners will be required for road widening programme, the same will be taken after following the procedure established by law.

In view of the statement made by the learned counsel for the respondent, the writ petition is disposed of as infructuous.

As a sequel to disposal of the writ petition as infructuous, W.P.M.P. No. 22384 of 2007 filed by the petitioners for interim relief is dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 30, 2007
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